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MEC

Mangum
Engineering
ConsultantsOCT 09 1990
DIVISION OF
OIL, GAS & MININGCopy to Henry,
Joe, Pam,
File ACT/015/025
#2 : #4

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Pamela Grubaugh-Littig
Permit Supervisor
Utah Division of Oil Gas & Mining
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203

6 October 1990

Ref: NOV No. N90-32-03-01, Substitute Topsoil Material, Downcast material, Proposed Assessment, Co-Op Mining Company, Bear Canyon Mine, ACT/015/025, Emery County, Utah

I have sent information regarding this violation to Joseph C. Helfrich of DOGM as you recommended. I repeat some of my concerns in this letter in order that the violation can be vacated and the issue resolved. This violation concerns me because the issue was discussed and apparently resolved in 1989 during the Mid-Term Review. In 1989, Mr. Sauer presented an alternative that would involve removal of the material along the road and relocating it to another site; re-stabilizing the area along the road and the new storage area, then returning the material during reclamation. This idea was very costly, impractical, and not acceptable. I do not understand Mr. Sauer's position with this issue at this time. In 1989 he agreed to the plan presented in Appendix 8-D which is presently being implemented.

Again, in 1989, Appendix 8-D, which fully addresses this issue was approved and incorporated into the plan. This appendix includes commitments by Co-Op to stabilize the material by revegetating and monitoring the substitute topsoil material along the road as required by regulations. Only a few areas were deficient of vegetation in 1989. Mr. Sauer picked the area with

the least amount of established vegetation cover in 1989 for a test plot. Monitoring is proceeding as described in the approved plan and any supplemental seeding or planting that may be required will be made as indicated.

The issue that I wish for you to consider is that the first remedial action listed in the NOV was approved in 1989 and is being implemented as described. The second, alternative remedial action listed in the NOV, would result in additional disturbance with resulting environmental impacts. It would prove to be costly, and as evidenced by approvals given the reclamation procedure before 1989, it is not necessary. I feel that this violation should be vacated. If DOGM has any legitimate concerns about instigation of the approved plan, please advise me and I will be happy to cooperate with DOGM and coordinate with Co-Op.

Thank you,



Kimly C. Mangum, P.E.

Permitting & Compliance Consultant.

cc Co-Op Mining Co.

CO-OP WILL COMMIT TO REMARK THE TEST PLOTS W/
PERMANENT MARKERS (REBAR) AND RESEED THE AREAS
WHICH SHOW A DEFICIENCY OF VEGETATION BY NOV. 1, 1990

